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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUL 21 2005

at 11 o'clock and 25 min. AM  
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00286 SOM
	)	
Plaintiff,	)	FIRST SUPERSEDING INDICTMENT
	)	
vs.	)	[21 U.S.C. §§ 846 and 841]
	)	
ROSS MASAACKI HAYASHI, (01)	)	
CARL OKINAGA, (02)	)	
	)	
Defendants.	)	
	)	

FIRST SUPERSEDING INDICTMENT

COUNT 1

The Grand Jury charges:

From a time unknown up through and including on or about June 24, 2005, in the District of Hawaii and elsewhere, Defendants ROSS MASAACKI HAYASHI ("HAYASHI") and CARL OKINAGA ("OKINAGA") knowingly and intentionally conspired with others

known and unknown to the Grand Jury, to distribute and possess with intent to distribute 500 grams or more of a substance and mixture containing a detectable amount of methamphetamine, its salts, isomers and salts of its isomers, a Schedule II controlled substance, to wit, approximately 1,449 grams (gross weight), in violation of Title 21, United States Code Sections 846, 841(a)(1) and 841 (b)(1)(A).

OVERT ACTS

In furtherance of this conspiracy and in order to attain the objects thereof, the following overt acts, among others, were committed in the District of Hawaii and elsewhere:

1. In or around June 2005, OKINAGA arranged to have a FedEx parcel containing methamphetamine sent to a 2552 Lemon Road address.

2. On or about June 24, 2005, HAYASHI accepted delivery of a FedEx parcel which he believed contained methamphetamine.

All in violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A).

COUNT 2

The Grand Jury further charges:

On or about June 24, 2005, in the District of Hawaii, Defendants ROSS MASAACKI HAYASHI and CARL OKINAGA knowingly and intentionally attempted to possess with intent to distribute 500

grams or more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers and salts of its isomers, to wit, approximately 1,449 grams (gross weight), a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 846.

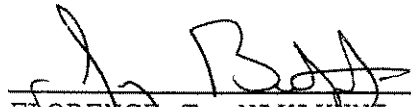
DATED: JUL 21, 2005 at Honolulu, Hawaii.

A TRUE BILL

/s/

FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

*for*   
FLORENCE T. NAKAKUNI  
Chief, Drug/Organized  
Crime Section

  
BEVERLY WEB SAMESHIMA  
Assistant U.S. Attorney

USA v. ROSS MASA AKI HAYASHI, ET AL.  
Cr. No. 05-00286 SOM  
"First Superseding Indictment"